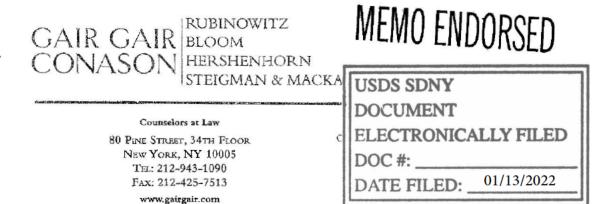
BEN B. RUBINOWITZ JEFFREY B. BLOOM ANTHONY H. GAIR HOWARD S. HERSHENHORN RICHARD M. STEIGMAN DIANA M. A. CARNEMOLLA* PETER J. SAGHER MARIJO C. ADIMEY. CHRISTOPHER I. DONADIO" DANIEL L. BROOK, MD. JD. RACHEL L. JACOBS JAMES S. RUBINOWITZ DAVID H. LARKIN MICHELLE L LEVINE ALLAN ZELIKOVIC RICHARD SOLDANO* ALEX R. BLOOM CONOR D. CASSIDY



January 12, 2022

BY ELECTRONIC FILING

Hon. Lewis A. Kaplan Daniel Patrick Moynihan United States Courthouse 500 Pearl Street New York, New York 10007

Re: Anthony Rapp and C.D. v. Kevin Spacey Fowler a/k/a Kevin Spacey Southern District of New York, Case No. 1.20-cv-09586 (LAK)

Dear Judge Kaplan:

As this Honorable Court is aware, we represent the plaintiff in the above-entitled matter. I am attorney on the case who has taken all of the previous depositions of defendants' witnesses and intend to depose the defendant, whose deposition is scheduled for Friday, January 14, 2022. I write to request a brief adjournment of the deposition due to my present illness.

Unfortunately, over the last weekend, I developed a cough and cold symptoms. I was seen by an otolaryngologist on Monday, who suspected a Covid diagnosis and performed a PCR test. I received a negative result today, but my cough has continued to worsen. Presently, I cannot take a deep breathe without coughing. As a result, I have now been prescribed a course of antibiotics and a bronchial inhaler.

I spoke to defense counsel, first on Monday and again this morning, to apprise him on my situation. Counsel informed us this afternoon that they could not agree to the adjournment.

Under the circumstances, we respectfully request an adjournment of Mr. Spacey's deposition to a new date which works for the defendant and his counsel.

Thank you for your consideration of this issue.

Respectfully submitted, GAIR, GAIR, CONASON, RUBINOWITZ, BLOOM, HERSHENHORN, STEIGMAN & MACKAUF

Richard Steigman Richard M. Steigman

Enclosures

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so ordered